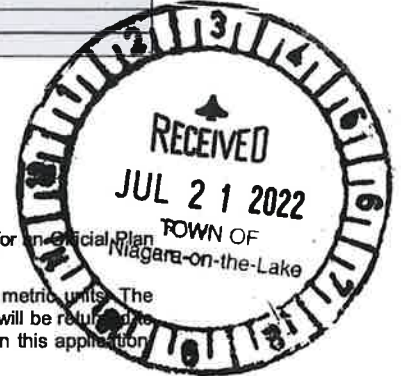


File No:	Date of Receipt:
Town Fee (\$):	Regional Fee (\$):
NPCA Fee (\$):	Operations Fee (\$):
Other Fee (\$):	Other Fee (\$):

(Office Use Only)

Application for an Official Plan Amendment and/or Zoning By-law Amendment

Under the *Planning Act, R.S.O. 1990 c. P.13, as amended*



A pre-consultation meeting with Community & Development Services Staff is required prior to applying for an Official Plan Amendment and/or a Zoning By-law Amendment.

Please complete all applicable sections of this application. All measurements are to be provided in metric units. The information requested on this application is required to review the proposal. An incomplete application will be returned to the Registered Owner/Authorized Agent. If you have questions regarding the information requested on this application, please contact the Community & Development Services Department.

All information requested on this form is collected under the authority of the Planning Act, R.S.O. 1990, c. P.13, as amended, and the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56. The requested information on this application and all accompanying plans, reports, and information is required in order to process this application and will form part of the public record which may be published on the Town of Niagara-on-the-Lake website or by other means. The name and business address of the Registered Owner and/or Authorized Agent is public information. Questions about the collection of information can be made to the Town Clerk.

1. Type of Application			
<input type="checkbox"/> Official Plan Amendment		<input checked="" type="checkbox"/> Zoning By-law Amendment	
<input type="checkbox"/> Removal of Holding Symbol (Complete Sections 2-4 only)		<input type="checkbox"/> Temporary Use By-law	
2. Details of the Subject Lands			
Municipal Address 823 Line 6 Road, Niagara-on-the-lake, ON		Assessment Roll Number	
Legal Description Part of Lots 103 and 82			
Date the subject lands were acquired: 2020	Lot Area (metric): 121,837.1m ²	Lot Frontage (metric): 202.84m	Lot Depth (metric): 406.79m
Description of easements, rights-of-way, or restrictive covenants applicable to the subject lands (if applicable):			
3. Registered Owner (as shown on the deed and title of the property)			
Name Andrzej Lipinski & Janina Lipinski		Company Name Big Head Wines	Municipality Niagara-on-the-lake
Mailing Address 823 Line 6 Rd., Niagara on the Lake		Unit Number	Postal Code L0S 1J0
Province Ontario	Email andrzej@bigheadwines.ca & janina@bigheadwines.ca		Telephone 905-650-3803
4. Authorized Agent (if one has been authorized)			
Name Stephen Bedford		Company Name LANDx Developments	Municipality St. Catharines
Mailing Address c/o 122 Glenwood Avenue		Unit Number	Postal Code L2R 4C7
Province Ontario	Email stephenbedford@landxdevelopments.com		Telephone 905-933-5439
Contact for all future correspondence (select one): <input type="checkbox"/> Registered Owner <input type="checkbox"/> Authorized Agent			
5. Mortgages, Charges, and Other Encumbrances (if applicable)			
Name		Company Name FCC	Municipality
Mailing Address		Unit Number	Postal Code
Province	Email		Telephone

6. Access (select all that apply)

Identify how the subject lands will be accessed:

Public road maintained all year
 Niagara River Parkway
 Provincial highway
 Public road maintained seasonally
 Private easement/Right-of-way
 Waterway
 If the subject lands will be accessed by a waterway only, identify the parking and docking facilities to be used and the approximate distance of these facilities from the subject lands to the nearest public road:

7. Servicing (select all that apply)

Identify how the subject lands will be serviced:

Water	Sewage Disposal	Storm Drainage
<input checked="" type="checkbox"/> Publicly owned and operated piped water system <input type="checkbox"/> Privately owned and operated individual well <input type="checkbox"/> Privately owned and operated communal well <input type="checkbox"/> Lake or other water body <input type="checkbox"/> Other: _____	<input type="checkbox"/> Publicly owned and operated sanitary sewage system <input checked="" type="checkbox"/> Privately owned and operated individual septic system <input type="checkbox"/> Privately owned and operated communal septic system <input type="checkbox"/> Privy <input type="checkbox"/> Other: _____	<input type="checkbox"/> Sewers <input checked="" type="checkbox"/> Ditches/swales <input type="checkbox"/> Other: _____

8. Existing Buildings, Structures, and Uses

Identify the existing use(s) of the subject lands and the length of time the existing use(s) have continued:
 Farm Winery

Type of Building or Structure	Farm Winery	Dwelling		
Construction Date	2021/2022			
Existing Use(s)	Farm Winery	Residential		
Time the Existing Use(s) have continued	1 year	Unknown		
Front Yard Setback (m)		97.61		
Rear Yard Setback (m)		276.94		
Side Yard Setback (m)	East 1m to crush pad	9.14		
Side Yard Setback (m)		185.33		
Height (m)	8.021	4.75		
Gross Floor Area (sq m)	1272.27			
Lot coverage (%)	1.95			

9. Proposed Buildings, Structures, and Uses (if applicable)

Identify the proposed use(s) of the subject lands:
 Estate Winery and Existing Dwelling

Type of Building or Structure	Estate Winery	Dwelling (N/C)		
Construction Date	2023 /24			
Proposed Use(s)	Estate Winery			
Front Yard Setback (m)	97.61 (to dwelling)			
Rear Yard Setback (m)	276.94 (to winery bldg)			
Side Yard Setback (m)	2m to canopy & 1m to			
Side Yard Setback (m)				
Height (m)	8.021			
Gross Floor Area (sq m)	2,170			
Lot coverage (%)				

10. Provincial Policy

Is this application consistent with policy statements issues under Section 3(1) of the *Planning Act, R.S.O. 1990, c. P.13, as amended*? Yes No
 Is any portion of the subject lands within the Specialty Crop (Niagara Tender Fruit and Grape) Area? Yes No
 Is any portion of the subject lands within the Niagara Escarpment Plan Area? Yes No
 If yes to any, explain how this application conforms to Provincial policy statements and applicable Provincial plan(s):
 Yes, an estate winery is a permitted use within the Prime Agricultural Area designation in the Greenbelt.

11. Official Plan Information	
Existing Niagara Regional Official Plan designation(s) of the subject lands: Protected Countryside and Unique Agricultural Area	
Does this application conform to the Niagara Regional Official Plan? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, explain how this application conforms to the Niagara Regional Official Plan: The proposed zoning bylaw amendment for the development of an estate winery and associated On-Farm Diversified uses is in conformity with and Implements the policies of the Niagara Region Official Plan	
Existing Town of Niagara-on-the-Lake Official Plan designation(s) of the subject lands: Agriculture	
Does this application conform to the Town of Niagara-on-the-Lake Official Plan? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, explain how this application conforms to the Town of Niagara-on-the-Lake Official Plan: The main use of the subject property, the cultivation of grapes, will remain the principal use of the farm. An estate winery is a permitted use in the Official Plan Agricultural designation.	
Does this application propose to change or replace a designation in the Official Plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, what is the Official Plan designation that the amendment is proposing to change or replace?	
Does the proposed amendment change, replace, or delete a policy in the Official Plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, which Official Plan policy is to be changed, replaced, or deleted?	
Does the proposed amendment add a policy to the Official Plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, what is the nature and extent of the Official Plan policy that the amendment is proposing to add?	
Do the subject lands have a pre-determined requirement for maximum height or density? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Does this application propose to alter the boundaries of an existing settlement area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Does this application propose to remove any lands from an existing employment area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes to any of the above questions, provide details of the Official Plan policies that deal with the matter(s):	
Explain the purpose for the proposed Town of Niagara-on-the-Lake Official Plan amendment (if applicable):	
12. Zoning Information	
Existing Town of Niagara-on-the-Lake Zoning of the subject lands: Rural (A)	
Explain the nature and extent of the proposed Zoning By-law Amendment: A zoning by-law amendment is required to permit an estate winery. By-law requires 15m setback from all property lines, the existing setbacks are as follows: East Side 2m to existing canopy roof and 1m to existing crush pad. The scale of the secondary uses will be confirmed in the bylaw.	
Explain the reason for the proposed Zoning By-law Amendment: While Estate Wineries are permitted within the Rural Zone, the use must be implemented through a site-specific zoning by-law amendment as indicated in Section 7.4.3.B of the Town's Official Plan. As such, a zoning amendment is being requested to rezone the subject property from Rural (A) to Rural (A-XX) site specific.	
13. Surrounding Land Uses	
North	Single detached dwellings / Agricultural area
South	Agricultural area / Farm Dwellings
East	Agricultural Area / Single detached dwellings
West	Agricultural Area / single detached dwellings

14. Previous Applications (if applicable)

Have the subject lands ever been the subject of an application under the *Planning Act, R.S.O. 1990, c. P.13, as amended* for approval of a plan of subdivision or condominium, a consent, a minor variance, a site plan, an official plan amendment, a zoning by-law amendment, or a Minister's zoning order? Yes
 No
 Unknown

Are any lands within 120 metre of the subject lands the subject of an application made by the Registered Owner under the *Planning Act, R.S.O. 1990, c. P.13, as amended* for approval of a plan of subdivision or condominium, a consent, a minor variance, a site plan, an official plan amendment, a zoning by-law amendment, or Minister's zoning order? Yes
 No
 Unknown

If yes to either, provide the information requested below:

Application Type	File Number	Status of the Application
Site Plan Agreement (Farm Winery)	SP-08-2019	Registered
Site Plan Agreement (Expanded Farm) / CofA Application	SP-09-2021	Approved by Staff
	FV-06/21	Approved

15. Concurrent Applications (if applicable)

Application Type	File Number	Status of the Application
Site Plan Agreement		Submitted in Conjunction with ZBA

16. Checklist of Requirements for a Complete Application (all boxes must be checked)

The following plans, reports, and information must accompany this application:

- One (1) signed copy of the Pre-Consultation Agreement;
- All applicable application fees (payable by cash, cheque, or debit);
- Property Index Map(s) of the subject lands from the Land Registry Office, dated within one (1) month of receipt of this application;
- Parcel Register(s) (including all PIN printouts and Legal Instruments) of the subject lands from the Land Registry Office, dated within one (1) month of receipt of this application;
- Two (2) folded hardcopies of the Reference Plan(s) included in the legal description of the subject lands, to scale (unfolded copies will not be accepted);
- Two (2) hardcopies of a draft by-law for each separate document being amended;
- Two (2) hardcopies of a schedule accompanying each draft by-law, if applicable;
- Two (2) hardcopies of all required plans, reports, and information identified on the Pre-Consultation Agreement;
- For all large-format plans, two (2) sets of reduced plans on 11' X 17' paper; and
- One (1) digital copy, in PDF format, of all required materials.

This application will be circulated to various agencies for review and comment. Where the scope or nature of the application requires input from a large number of agencies, additional copies of this application and accompanying plans, reports, and information may be required.

17. Checklist of Drawing Requirements (all applicable boxes must be checked)

Plans and drawings accompanying this application must show the following information, in metric units:

- North arrow;
- Metric scale;
- The boundaries and dimensions of the subject lands;
- The location, size, type, and setbacks of all existing and proposed buildings and structures on the subject lands;
- Natural and artificial features located within or adjacent to the subject lands, such as buildings, railways, roads/highways, pipelines, watercourses, drainage ditches, top of banks, wetlands, wooded areas, wells, septic tanks, and parking and docking facilities (if access to the subject lands is by waterway only), or any other features that may affect this application in the opinion of the Registered Owner/Authorized Agent;
- The existing use(s) of adjacent lands (for example, residential, agricultural, or commercial);
- The location, width and name any road/highway within or abutting the subject lands, and indicating whether it is an unopened road allowance, a public road, a private road, or a right-of-way; and
- The location and nature of any easement affecting the subject lands (if applicable).

Community & Development Services Staff may request that additional information be provided in the plans and drawings that accompany this application, based on the scope and nature of the proposal.

18. Plans, Reports, and Information Submitted with this Application

Identify all plans, reports, and information submitted with this application:

No.	Title	Date	Author
1	Ministry of Heritage Approval	October 5, 2021	Ministry of Heritage of Ontario
2	Stage 1 & 2 Archaeological Assessment	September 10, 2021	Irvin Heritage Inc.
3	Grading and Phasing Plan	July 8th, 2022	UEM (Urban and Environmental Management)
4	Stormwater Management Brief	July 14th, 2022	UEM (Urban and Environmental Management)
5	Revised Driveway and Parking Plan	July 15th, 2022	Romanov Architects Inc.
6			
7			
8			
9			
10			
11			
12			

19. Acknowledgement and Agreement of Registered Owner

I, Andrzej Lipinski & Janina Lipinski AM THE REGISTERED OWNER OF THE SUBJECT LANDS AND
 (Name of Registered Owner/Company)

I ACKNOWLEDGE AND AGREE that all information requested on this form is collected under the authority of the *Planning Act, R.S.O. 1990, c. P.13, as amended*, and the provisions of the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*. The information is required in order to process this application and forms part of the public record which may be published on the Town of Niagara-on-the-Lake website or by other means. The name and business address of the Registered Owner and/or Authorized Agent is public information.

I ACKNOWLEDGE AND AGREE that the Town of Niagara-on-the-Lake, its employees and agents may enter onto my property to view, photograph and survey my property as necessary for this application.

I ACKNOWLEDGE AND AGREE that all costs of processing this application shall be paid for by the Registered Owner. The Registered Owner shall reimburse the Town of Niagara-on-the-Lake, upon demand, for all costs incurred by the Town of Niagara-on-the-Lake in respect of this application. Without limiting the foregoing, the Registered Owner acknowledges and agrees to pay such expenses regardless of whether or not this application is approved or proceeded with and are not refundable. If costs are not paid by the due date imposed by the Town of Niagara-on-the-Lake, the Registered Owner understands and acknowledges that the costs will be added to the tax bill of the subject lands and collected in like manner as property taxes.

 (Signature of Registered Owner) (Date)

20. Authorization of Registered Owner

If this application is being submitted by an Authorized Agent, the Registered Owner of the subject lands must complete this section. If there is more than one Registered Owner, a separate authorization from each individual or corporation is required. An additional copy of this page must be attached for each Registered Owner.

I, Andrzej Lipinski & Janina Lipinski AM THE REGISTERED OWNER OF THE SUBJECT LANDS
 (Name of Registered Owner/Company)

AND HEREBY AUTHORIZE Stephen Bedford
 (Name of Authorized Agent/Company)

TO SUBMIT THIS APPLICATION to the Town of Niagara-on-the-Lake, appear on my behalf at any hearing(s) of this application, and provide any information or material required by the Town of Niagara-on-the-Lake relevant to this application.

I UNDERSTAND that all information requested on this form is collected under the authority of the *Planning Act, R.S.O. 1990, c. P.13, as amended*, and the provisions of the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*. The information is required in order to process this application and forms part of the public record which may be published on the Town of Niagara-on-the-Lake website or by other means. The name and business address of the Registered Owner and/or Authorized Agent is public information.

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M. Lipinski July 21/2022
 (Signature of Registered Owner) (Date)

21. Sworn Declaration

I, Andrzej Lipinski & Janina Lipinski OF THE Town of Niagara-on-the-Lake
(Name of Registered Owner/Company or Authorized Agent/Company) (Name of City, Town, Township, etc.)

IN THE Niagara Region
(Name of Regional Municipality or Province)

DO SOLEMNLY DECLARE that the information contained in this application and that the information contained in the documents that accompany this application is true and complete.

Declared before me in Town of NOTL in the Niagara Region
(Name of City, Town, Township, etc.) (Name of Regional Municipality or Province)

on this 21 day of July, 2022.
(Month) (Year)

A. Lipinski
(Signature of Registered Owner/Authorized Agent)

NATALIE ELORA THOMSON,
a Commissioner, etc., Province of Ontario,
for the Corporation of the
Town of Niagara-on-the-Lake.
Expires March 2, 2024
NEL
(Signature of Commissioner of Oath)

THIS APPLICATION MUST BE SUBMITTED TO:

Town of Niagara-on-the-Lake Community & Development Services 1593 Four Mile Creek Road PO Box 100 Virgil, ON L0S 1T0	Phone: (905) 468-3266 Fax: (905) 468-0301 Website: www.notl.org
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